



3. Plaintiff is an individual residing in Bexar County, Texas. (Orig. Pet. at ¶32, Ex. A). For purposes of diversity jurisdiction, Plaintiff is a citizen of Texas.

4. Defendant is a limited liability corporation organized and existing under the laws of Indiana with its principal place of business in Indiana. For purposes of diversity jurisdiction, Defendant is a citizen of the State of Indiana.

5. Complete diversity of citizenship exists between the parties to this action pursuant to and in accordance with the requirements of 28 U.S.C. § 1332, which confers original subject matter jurisdiction upon this Court.

6. The amount in controversy in this matter exceeds \$75,000.00, as required for diversity jurisdiction under 28 U.S.C. § 1332. In his Original Petition, Plaintiff states that he seeks monetary relief over \$1,000,000.00. (Orig. Pet. at ¶ 33).

7. At the time of filing of this Removal, this matter was pending in Bexar County, Texas. Accordingly, the San Antonio Division of the Western District of Texas is the proper district and division for the removal of this matter. *See* 28 U.S.C. § 1446(a).

8. As of the time of filing, Defendant understands that Defendant Michael L. Dale has not been served.

9. Promptly after filing this Notice of Removal, Defendant will give written notice to Plaintiff and file a copy of the Notice of Removal with the Clerk of Court of the 45th Judicial District Court, Bexar County, Texas, as required by 28 U.S.C. § 1446(d).

10. Copies of the documents required to be filed with this Notice of Removal are attached hereto as Exhibits A – E.

WHEREFORE, Defendant respectfully prays this case be removed to the United States District Court for the Western District of Texas, San Antonio Division, and for any further relief this Court deems just and appropriate.

Dated: October 5, 2015

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was electronically filed with the clerk of the court using the CM/ECF system. Pursuant to Fed. R. Civ. P. 5(a)-(d), all counsel of record not deemed to have consented to electronic service will be served with a true and correct copy of the foregoing by mail, United States Postal Service, on this 5th day of October, 2015.

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